



09/390,228

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: UNO ET AL. Examiner: M. ANGEBRANDT  
Serial No.: 09/390,228 Group Art Unit: 1756  
Filed: SEPTEMBER 3, 1999 Docket No.: 10873.274US11  
Title: OPTICAL INFORMATION RECORDING MEDIUM, PRODUCING  
METHOD THEREOF AND METHOD OF RECORDING/ERASING/  
REPRODUCING INFORMATION

## CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV037640245US

Date of Deposit: February 28, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By: 

Chris Stordahl

TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Petitioner, Matsushita Electric Industrial Co., Ltd., a corporation organized and existing under the laws of Japan and having its primary place of business at 1006-banchi, Oaza-Kadoma, Kadoma-shi, Osaka 571-8501, Japan represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/390,228, filed on September 3, 1999 and entitled OPTICAL INFORMATION RECORDING MEDIUM, PRODUCING METHOD THEREOF AND METHOD OF RECORDING/ERASING/REPRODUCING INFORMATION, by virtue of our assignment recorded at Reel 010432, Frame(s) 0867.

Petitioner, Matsushita Electric Industrial Co., Ltd., hereby disclaims, through the

undersigned attorney of record, except as provided below, the terminal part of the statutory term

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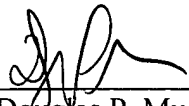
of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent Application Serial No. 09/132,022 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Application Serial No. 09/132,022, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent Application Serial No. 09/132,022, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted

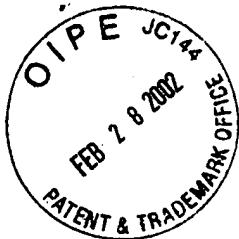
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(612) 332-5300

Date: February 28, 2002

  
\_\_\_\_\_  
Douglas P. Mueller  
Reg. No. 30,300  
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**THE STATEMENT BELOW IS FOR OFFICE USE ONLY**

In accordance with the decision granting the petition filed on \_\_\_\_\_, \_\_\_\_\_,  
this terminal disclaimer is accepted. The period of patent lapse specified above has been  
accepted as equivalent to \_\_\_\_\_ months.

\_\_\_\_\_  
Petitions Examiner

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